HONORABLE RONALD B. LEIGHTON 1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 9 AT TACOMA 10 PHYLLIS J. ATKINS, individually and as personal representative of the ESTATE OF Case No. C04-5889 RBL 11 BOBBY J. ATKINS, 12 Plaintiff, ORDER DENYING DEFENDANT'S 13 MOTION FOR PARTIAL SUMMARY v. JUDGMENT DISMISSING 14 PACIFICARE OF WASHINGTON, INC., a PLAINTIFFS' CPA CLAIMS Washington corporation, 15 Defendant. 16 17 18 19 This matter came before the Court on Defendant's Motion for Partial Summary Judgment Dismissing 20 Plaintiffs' CPA Claims. The Court reviewed the following materials submitted in conjunction with this matter: 21 1. Defendant's Motion for Partial Summary Judgment Dismissing Plaintiffs' CPA Claims; 22 2. Declaration of Barbara J. Duffy re Defendant's Motion for Partial Summary Judgment 23 Dismissing Plaintiffs' CPA Claims; 24 3. Plaintiffs' Memorandum Opposing Defendant's Motion for Partial Summary Judgment Dismissing Plaintiff's CPA Claims; 25 4. Declaration of Stephanie Bloomfield re Defendant's Motion for Partial Summary 26 Judgment Dismissing Plaintiffs' CPA Claims; and 27 28 **ORDER** Page - 1

1 2	5. Defendant's Reply re Defendant's Motion for Partial Summary Judgment Dismissing Plaintiffs' CPA Claims;
3	In addition, the Court heard oral argument of counsel on June 15, 2005, and being otherwise fully
4	advised in the premises, it is hereby ORDERED that Defendant's Motion for Partial Summary Judgment
5	Dismissing Plaintiffs' CPA claims is DENIED.
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7	Dated this 21st day of June, 2005.
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11	Konal D. Leightun
12	RONALD B. LEIGHTON
1314	UNITED STATES DISTRICT JUDGE
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16	Presented By:
17	CORDON THOMAS HONEYWELL
18	GORDON, THOMAS, HONEYWELL, MALANCA, PETERSON & DAHEIM LLP
19	
20	By
21	Stephanie Bloomfield, WSBA No. 24251
22	Attorneys for Plaintiff
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ORDER Page - 2